

HOUSE BILL 462  
By Head

AN ACT to amend Tennessee Code Annotated, Section 54-5-804, relative to the obligation of the commissioner of the department of transportation to reimburse utilities for the costs associated with utility relocations necessitated by construction on state highways.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 54-5-804(a)(3), is amended by deleting the language "five hundred (500)" wherever such language appears and by substituting instead the language "one thousand (1,000)".

SECTION 2. Tennessee Code Annotated, Section 54-5-804(a), is amended by adding the following language as new, appropriately designated subdivisions:

(4) The commissioner is authorized and required to reimburse a utility for fifty percent (50%) of all reasonable relocation costs associated with utility relocations necessitated by construction on public highways when such utility facilities are located within public highway rights-of-way.

(5) The commissioner is authorized and required to obtain at the department's expense new utility easements for any utility which has utility facilities located within easements on private property which utility facilities must be relocated by a public

highway construction project. The commissioner shall obtain such utility easements from a property owner or owners at the same time the commissioner acquires rights-of-way and easements for the public highway construction project. The new utility easement obtained for the utility shall be comparable in size to the utility's existing easement and shall have terms and conditions comparable to the utility's existing easement.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.